

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): STEVEN A. VELINSKY ET AL.

Docket No.

CUC01-312-2

Serial No.
10/056,993Filing Date
JANUARY 23, 2002

Examiner

OCT 22 2002

Group Art Unit
1744Invention: TELEROBOTIC NOZZLE POSITIONING SYSTEM FOR AN AUTOMATED ROADWAY
DEBRIS VACUUM VEHICLE

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TC 1700

I hereby certify that the following correspondence:

Information Disclosure Citation (PTO-1449) (Page 1)

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under
37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on

OCT. 22, 2002

(Date)

Jerry V. King

(Typed or Printed Name of Person Mailing Correspondence)


(Signature of Person Mailing Correspondence)EV223552617US

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I hereby certify that the following correspondence:

Copy of Search Report from International Application No. PCT/US02/11945 (Page 1 thru 8)

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Invention: **TELEROBOTIC NOZZLE POSITIONING SYSTEM FOR AN AUTOMATED ROADWAY
DEBRIS VACUUM VEHICLE****RECEIVED**

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Citations (6)

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Oct. 22, 2002*(Date)*Jerry V. King*(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)*EV223552617US*("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**

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I hereby certify that the following correspondence:

Transmittal of Information Disclosure Statement (Page 1 & 2)

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37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on

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10-24-02

7E 08 1744

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (Under 37 CFR 1.97(b) or 1.97(c))			Docket No. UC01-312-2
In Re Application Of: STEVEN A. VELINSKY ET AL.			
Serial No. 10/056,993	Filing Date JANUARY 23, 2002	Examiner	Group Art Unit 1744
Title: TELEROBOTIC NOZZLE POSITIONING SYSTEM FOR AN AUTOMATED ROADWAY DEBRIS VACUUM VEHICLE			
<p>Address to: Assistant Commissioner for Patents Washington, D.C. 20231</p> <p>37 CFR 1.97(b)</p> <p>1. <input checked="" type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.</p> <p>37 CFR 1.97(c)</p> <p>2. <input type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:</p> <p><input type="checkbox"/> the statement specified in 37 CFR 1.97(e);</p> <p>OR</p> <p><input type="checkbox"/> the fee set forth in 37 CFR 1.17(p).</p>			

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TC 1700

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
UC01-312-2

In Re Application: **STEVEN A. VELINSKY ET AL.**

Serial No.
10/056,993

Filing Date
JANUARY 23, 2002

Examiner

Group Art Unit
1744

**TELEROBOTIC NOZZLE POSITIONING SYSTEM FOR AN AUTOMATED ROADWAY DEBRIS
VACUUM VEHICLE**

Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(b))

- ☐ A check in the amount of _____ is attached.
- ☐ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. _____ as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of _____
- ☐ Credit any overpayment.
- ☐ Charge any additional fee required.

Certificate of Transmission by Facsimile*

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (F

(Date)

Signature

Typed or Printed Name of Person Signing Certificate

Certificate of Mailing by First Class Mail

I certify that this document and fee is being deposited with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Certificate

***This certificate may only be used if paying by deposit account.**

Dated: 10/22/02

JOHN P. O'BANION
Signature

**JOHN P. O'BANION, REG. NO. 33,201
O'BANION & RITCHEY LLP
400 CAPITOL MALL, SUITE 1550
SACRAMENTO, CA 95814
(916) 498-1010**

CC:



PATENT

Docket No. UC01-312-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: STEVEN A. VELINSKY; WILDERICH A. WHITE; ANDREW A. PORTERFIELD
Serial No.: 10/056,993
Filed: JANUARY 23, 2002
For: TELEROBOTIC NOZZLE POSITIONING SYSTEM FOR AN AUTOMATED ROADWAY
DEBRIS VACUUM VEHICLE
Group:
Examiner:

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ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

List of Sections Forming Part of This Information Disclosure Statement

The following sections are being submitted for this Information Disclosure Statement:

1. ☒ Preliminary Statements
2. ☒ FORM PTO-1449 (Modified)
3. ☐ Statement As To Information Material To Examination Not Found In Patents Or Publications
4. ☐ Identification Of Prior Application In Which Listed Information Was Already Cited And For Which No Copies Are Submitted Or Need Be Submitted
5. ☐ Cumulative Patents or Publications
6. ☒ Copies of Listed Information Items Accompanying This Statement
7. ☒ Concise Explanation of Non-English Language Listed Information Items
8. ☐ Translation(s) of Non-English Language Documents
9. ☒ Identification of Person(s) Making This Information Disclosure Statement

Section 1. Preliminary Statements

Applicants submit herewith patents, publications or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR 1.56.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 CFR 1.56(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

Section 2. PTO Form 1449 (modified)

FORM 1449 IS BEING SUBMITTED HERewith IN 1 PAGE(S).

**Section 3. Stat m nt As To Inf rmati n Material T Examinati n N t F und In Pat nts Or
Publicati ns (Inf rmati n n t list d in PTO-1449)**

Section 4. Identification of Prior Application in Which Listed Information Was Already Cited and For Which Notices Are Submitted Or Need Be Submitted

Note: "A copy of any patent, publication or other information listed in an information disclosure statement is not required to be provided if it was previously cited by or submitted to the office in a prior application, provided that the prior application is properly identified in the statement and relied upon for an earlier filing date under 35 U.S.C. 120." 37 CFR 1.98(d).

WARNING: While a copy of a non-English language item of information need not be submitted if it was previously submitted to or cited by the Office in a prior application, provided it is properly identified in this statement and this application relies on that earlier filing date under 35 U.S.C. 120, nevertheless, the requirement in § 1.98(a)(3) for a concise explanation of non-English language information **would not** be satisfied by a statement that a reference was cited in the prosecution of a parent application. The concise explanation must explain the relevance as presently understood by the person designated in § 1.56(c) most knowledgeable about the content of the information. Notice of January 9, 1992, 1135 O.G. 13-25, at 20.

Section 5. Cumulative Patents or Publications

NOTE: "When the disclosure of two or more patents or publications listed in an information disclosure statement are substantially cumulative, a copy of one of the patents or publications may be submitted without copies of the other patents or publications provided that a statement is made that these other patents or publications are cumulative." 37 CFR 1.98(c).

o

STATEMENT

_____ is cumulative of the following patents or publications listed on Form PTO-1449
(modified):

In accordance with 37 CFR 1.98(c) a copy of only _____ is being submitted with this information disclosure statement.

Section 6. Copies of Listed Information Items Accompanying This Statement

NOTE: 37 CFR 1.98(a)(2) requires that any information disclosure statement filed under § 1.97 shall include: "A legible copy of: (i) Each U.S. and foreign patent; (ii) Each publication or that portion which caused it to be listed; and (iii) All other information or that portion which caused it to be listed, except that no copy of a U.S. patent application need be included ..."

NOTE: The wording in § 1.98(a)(2)(iii) makes it clear that the requirement to submit a copy of each item of information listed in an information disclosure statement does not apply to the citation of a U.S. patent application. Notice of January 9, 1992, 1135 O.G. 13-25, at 14.

Legible copies of **all** items listed accompany this information disclosure statement.

___ **Exception(s) to above**

___ **Items in prior application from which an earlier filing date is claimed for this application as identified in Section 4.**

___ **Cumulative patents or publications identified in Section 5.**

It is respectfully stipulated, however, that none of these references teach or render obvious, singly or when considered in combination, applicant's claimed invention. This citation does not constitute an admission that the references are relevant or material to the claims nor that a search has been made; the references are cited only as constituting the closest art of which the applicant is aware.

Section 7. Concise Explanation of Non-English Language Listed Information Items

- NOTE: "A concise explanation of the relevance, as it is presently understood by the individual designated in § 1.56(c) most knowledgeable about the information of each patent, publication, or other information listed that is not in the English language **shall** be included in any information disclosure statement filed under § 1.97. "The concise explanation may be either separate from the specification or incorporated therein." 37 CFR 1.98(a)(3).
- NOTE: "[T]he explanation required is limited to the relevance as understood by the individual designated in § 1.56(c) most knowledgeable about the content of the information at the time the information is submitted to the Office." Notice of January 9, 1992, 1136 O.G. 13-25, at 14.
- NOTE: "Where the information listed is not in the English language, but was cited in a search report by a foreign patent office, the requirement for a concise explanation of relevance is satisfied by submitting an English language version of the search report." Notice of January 9, 1992, 1136 O.G. 13-25, at 14.
- NOTE: "The concise explanation requirement for non-English language information may be met by submission of an English language version of the search report indicating the degree of relevance found by the foreign office." Notice of January 9, 1992, 1136 O.G. 13-25, at 20.
- WARNING: "The requirement in §1.98(a)(3) for a concise explanation of non-English information **would not** be satisfied by a statement that a reference was cited in the prosecution of a parent application." Notice of January 9, 1992, 1136 O.G. 13-25, at 20 (emphasis added).

GERMAN PATENTS NO. DE 94 14 721 U and DE 295 08 588 U1 WERE CITED IN A SEARCH REPORT BY A FOREIGN PATENT OFFICE. AN ENGLISH LANGUAGE VERSION OF THE SEARCH REPORT IS BEING SUBMITTED HERewith TO SATISFY THE REQUIREMENT FOR A CONCISE EXPLANATION OF THE RELEVANCE OF THESE PATENTS.

Section 8. Translations of Non-English Language Documents

NOTE: "If a written English language translation of a non-English language document, or portion thereof, is within the possession, custody or control of, or is readily available to any individual designated in § 1.56(c), a copy of the translation shall accompany the statement." 37 CFR 1.98(c).

NOTE: "The Office does not intend to require translations unless they have been reduced to writing and are actually translations of what is contained in non-English language information. Applicants should note, however, that most examiners do not have the ability to understand information which is not English and the that Office will not routinely translate information submitted in a non-English language. The examiner will consider the information insofar as it is understood on its face, e.g., drawings, chemical formulas, English-language abstracts, but will not have the information translated unless it appears to be necessary to do so. Applicants are required to aid the examiner by complying with the requirements of a concise explanation in § 1.98(a)(3) for information submitted in a non-English language." Notice of January 9, 1992, 1135 O.G. 13-25, at 21.

_____ No English language translations of the foreign language patents, publications or information or parts thereof are readily available, except for those listed above.

_____ The following foreign language documents submitted are believed to be the equivalent or substantial equivalent of the English language documents identified below, which are also submitted herewith.

_____ Submitted herewith is an English language translation of the following foreign patents, publications or information or of those portions of those patents, publications or information considered to be material:

Section 9. Identification of Person(s) Making This INFORMATION DISCLOSURE STATEMENT

The person making this statement is the attorney who signs below on the basis of:

_____ the information supplied by the inventor(s)

X the information in the attorney's file

Dated:

10/22/02

Reg. No.:

33,201

Tel. No.:

(916) 498-1010


SIGNATURE OF ATTORNEY

John P. O'Banion
O'BANION & RITCHEY LLP
400 Capitol Mall, Suite 1550
Sacramento, CA 95814

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INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

Docket Number (Optional)

UC01-312-2

Application Number

10/056,993

Applicant(s)

STEVEN A. VELINSKY ET AL.

Filing Date

JANUARY 23, 2002

Group Art Unit

1744

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		3,444,581	05/1969	Daneman			
		4,019,219	04/1977	Willenborg			
		4,277,214	07/1981	Mahle et al.			

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FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO
X		EP 0 485 810 A1	02/1992	EP				
X		DE 94 14 721 U	10/1994	DE (with search report)				✓
X		DE 295 08 588 U1	08/1995	DE (with search report)				✓

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.